

From: jwwerpy@mmm.com@inetgw
To: Microsoft ATR
Date: 1/23/02 11:05am
Subject: Microsoft Settlement

I feel compelled to write about the Microsoft Settlement because I feel that the settlement reached between the Justice Department and Microsoft wholly and completely fails to address the issues of the case. The settlement will be ineffective and unable to stop any future illegal monopoly practices undertaken by Microsoft.

I feel the Justice Department has been fooled by Microsoft into accepting an agreement that has been crafted by Microsoft to be extremely vague and almost completely unenforceable. I also foresee that if certain actions that may be called for in the settlement occur, that Microsoft will take exception and head back to court to stall any type of enforcement against their business practices.

I believe that the court should decide Microsoft's punishment because over time they have shown no desire nor any ethics or fairness in any negotiations. Only a severe court mandated punishment will be enough to force Microsoft to stop its anti-competitive practices. Only the court will be able to stand toe to toe with Microsoft and force them to obey. I believe that given any opportunity to skirt any responsibility Microsoft will. The decision of the court should be firm and binding on Microsoft from now on for all current and future products they may release.

Microsoft's practices have irreparably harmed the IT industry in ways that may never be known. They have continually destroyed or subverted competitors who if they had survived and/or thrived could have generated truly great innovations for IT.

The only fair punishment is to make them play fair. Microsoft should be forced by the court to release the full API (application programming interface) to all of its operating systems. A independent group should be formed to monitor their performance in this area, any undocumented interface found by the group should subject Microsoft to very large fines for every day the API specifications are not complete. This action would truly unbind the entire IT industry from what has been the core of Microsoft's strategy, making their software incompatible with everything except their software and subverting open standards within the IT industry.

Thank you for your consideration,

Jason Werpy
werpy@brookings.net

